

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

GEORGE NELSON

PETITIONER

VERSUS

CIVIL ACTION NO. 5:06cv56DCB-JCS

CONSTANCE REESE, Warden FCI-Yazoo City
and RITA A. STANLEY, ICE Officer

RESPONDENTS

MEMORANDUM OPINION

This matter is before the court, sua sponte, for consideration of dismissal. Petitioner George Nelson was an inmate at the Federal Correctional Institute-Yazoo City at the time he filed this petition for habeas corpus relief pursuant to 28 U.S.C. § 2241. The petitioner brought this habeas request challenging his continued incarceration at the FCI-Yazoo City even though he argues that he should have been released to the Immigration and Customs Enforcement Agency (“ICE”) on March 22, 2006. In his petition, the petitioner requested that he be released from the Bureau of Prisons and that the ICE deport him or release him as directed on March 22, 2006.

On April 27, 2006, a letter [4-1] was received from the petitioner informing this court that he had been transferred to the Oakdale Detention Center, Oakdale, Louisiana. Another letter [10-1] was filed on July 5, 2006, by the petitioner informing this court that he had a change of address to Orlando, Florida. On July 7, 2006, a letter [11-1] was filed by the petitioner providing his latest address of Jamaica, West Indies, and stating that he had been deported on July 3, 2006.

The petitioner filed the instant petition seeking to be released and deported. According to the information provided in his letters to this court, it is clear that the petitioner is no longer incarcerated by the Bureau of Prisons and that he has been deported. Therefore, since this court can no longer grant the petitioner the requested relief, the instant petition has been rendered

moot. See Bailey v. Southerland, 821 F.2d 277, 278 (5th Cir. 1987). Thus, this habeas petition will be dismissed with prejudice.

A final judgment in accordance with this memorandum opinion shall be issued.

SO ORDERED, this the 21st day of July, 2006.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE